

PATENT  
Customer No. 22,852  
Attorney Docket No. 04853.0111-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Nobuhiko NOMURA et al. ) Group Art Unit: 1642  
Application No.: 10/765,048 ) Examiner: Brandon J. FETTEROLF  
Filed: January 28, 2004 )  
For: APOPTOSIS INDUCER AND ) Confirmation No.: 9606  
METHOD OF SCREENING FOR A )  
SUBSTANCE INHIBITING )  
ACYLATED HOMOSERINE )  
LACTONE )

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the document on the attached listing. This Information Disclosure Statement is being filed after a Final Office Action but before payment of the issue fee and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a statement as specified under § 1.97(e).

The document listed in this Information Disclosure Statement is a translation of a communication from the Japanese Patent Office in a counterpart foreign application. This Information Disclosure Statement is being filed within three months of the mailing date of that communication. Applicants note that the original communication from the Japanese Patent Office was previously submitted in the Information Disclosure Statement filed June 3, 2008.

A copy of the listed non-patent literature document is attached.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicants determine that the cited document do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

*Jean Burke Fordis*

Dated: June 20, 2008

By: \_\_\_\_\_

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